

KENYON B. FITZGERALD, ET. AL.

, Plaintiff(s)

- against -

WADE F.B. THOMPSON, ELIHU ROSE, ARIE L. KOPELMAN, STEPHEN LASH, EDWARD
KLEIN, REBECCA ROBERTSON, KIRSTEN REOCH, CHARLES GARGANO, WILLIAM
SHERMAN, SEVENTH REGIMENT ARMORY CONSERVANCY, INC.

, Defendant(s)

State of New York)
County of Nassau) SS.:

NOT FOUND OR NON SERVICE RETURN

I, the undersigned am and was on the dates herein mentioned, over the age
of eighteen years and not a party to the action, attempted to serve the
following:

SUMMONS IN A CIVIL CASE

COMPLAINT WITH JURY TRIAL REQUESTED

CIVIL CASE COVER SHEET

RULE 7.1 STATEMENT

INDIVIDUAL PRACTICES OF JUDGE BARBARA S. JONES

INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE DEBRA FREEMAN

And that after due search, careful inquiry and diligent attempts at the
Residence:

409 JOB'S LANE
BRIDGEHAMPTON, NY 11932

I have been unable to make delivery of said process on the
within named: CHARLES GARGANO

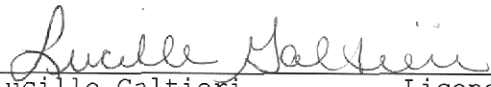
Process is being returned without service for the following reasons:

11/09/2007 at 7:20 PM - Attempted service:Knocked on door; no one at
home.


11/09/2007 at 9:00 PM - Attempted service: Knocked on door; no
answer; Spider web across door; appears not used for weeks.

11/28/2007 at 9:15 PM - Attempted service: Knocked on door no answer.
No lights on in the house.

11/30/2007 at 10:05 PM - Attempted service: Knocked on door no answer.
Called phone number listed for address 631-665-4770.
Phone number not in service.


Lucille Galtieri License #1249825

SWORN TO BEFORE ME


MARK C. EISENBERG
Notary Public, State of New York
No. 01E14958991
Qualified in Nassau County
Commission Expires November 20, 2009

OUR DOC# 19944
Whitney North Seymour, Jr.
425 Lexington Avenue
Room 1721
New York NY 10169

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index No. 07-CIV-6851

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Residence:

300 EAST 56 STREET

NEW YORK, NY 10022

I have been unable to make delivery of said process on the
within named: CHARLES GARGANO

Process is being returned without service for the following reasons:

10/22/2007 at 7:15 AM - Attempted service: Security called up to the
apartment but received no answer. The security guard stated that
he hasn't seen Mr. Gargano in two days.

10/24/2007 at 6:58 PM - Attempted service: Security called upstairs
but recieved no answer.

10/26/2007 at 7:00 PM - Attempted service: Sercurity called upstairs,
no answer. Stayed at location for 40 mintutes but Mr. Gargano
did not arrive. Had sercurity call again, there was no answer.

10/31/2007 at 10:40 AM - Attempted service: Security Guard stated that
he saw Garcano going out but he doesn't know what time he
would return.

11/02/2007 at 10:50 AM - Attempted Service: Security called apartment,
no answer. Waited at location for 1 hour.

11/02/2007 at 7:37 AM - Attempted service: Security called and
recieved no answer. Security also said that it would be best to
try to make an apointment with him because he is never home.

11/13/2007 at 8:45 PM - Attempted service: Talked to doorman and
asked for Gargano; He called upstairs and there was no answer;
He told me that the only way I will be able to see him is by making an
apointment, becuase he is never home.

11/28/2007 at 9:25 PM - Attempted service : Went to building and ask
doorman for Gargano. He called upstairs to his apartment 3 times but
thier was no answer.

11/29/2007 at 5:00 PM - Attempted service: Security called up to Gargano
apartment, but recieved no answer.

11/29/2007 at 8:30 PM - Attemtped service: Called Mr. Gargano but got just an
answering machine. So then I went to his home again and asked the door
man for Mr. Gargano again he called upstairs to his apartment but got
no answer.

Johnysa Santana

License #1255401

SWORN TO BEFORE ME on 12/04/2007



Notary Public, State of New York

No. 01HA6147542

Qualified in Queens County

Commission Expires June 5, 2010

OUR DOC# 19763

Whitney North Seymour, Jr.

425 Lexington Avenue

Room 1721

New York NY 10169